

**FISCAL MEMORANDUM
HB 35 – SB 172**

April 5, 2007

SUMMARY OF AMENDMENT (005359): Deletes the provision which states the trier of fact may infer that the cost and specialized training of any such animal is more than \$10,000. Broadens the offense of “intentional killing of an animal” to include fire dogs, search and rescue dogs, service animals and police horses.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$33,000 / Incarceration*

Increase Local Govt. Expenditures – Not Significant

Increase Local Govt. Revenues – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$3,300 / Incarceration*

Assumptions applied to amendment:

- One Class D felony every two years will serve an additional 0.3 years (an increase from 0.3 years for a Class E to 0.6 years for a Class D). The annualized time served per conviction is 54.79 days (0.50 annual number of convictions x 109.58 days). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The annualized cost per conviction is \$3,296.17 (\$60.16 x 0.50 x 109.58).
- Deleting the inference does not mean that the jury is precluded from finding that the value is higher than \$10,000.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/LSC

<BillComp>

<BillComp>